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TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine, Department of Agriculture

[Quarantine No. 8, Amdt. to Reg. 1]

PART 319—FOREIGN QUARANTINE NOTICES

PINK BOLLWORM OF COTTON

On December 20, 1947, notice of proposed rule making was published in the FEDERAL REGISTER (12 F. R. 8631) regarding the proposed amendment of § 319.8-1 of the regulations supplemental to the Foreign Pink Bollworm of Cotton Quarantine (Notice of Quarantine No. 8, 7 CFR 1944 Supp. 3198). After consideration of all relevant matter presented, including the proposals set forth in the aforesaid notice, the following amendment is hereby issued pursuant to the authority contained in the Plant Quarantine Act (37 Stat. 316 and 317; 7 U. S. C. 159 and 160):

§ 319.8-1 *Applications for and issuance of permits.* Persons desiring to import cottonseed and cottonseed hulls shall submit to the Bureau of Entomology and Plant Quarantine an application stating the name and address of the importer, the approximate quantity of cottonseed or cottonseed hulls which it is desired to import, the United States port of entry, the approximate date of arrival, the place of origin in the Imperial Valley, Mexico, or in the area in the State of Tamaulipas, Mexico, specified in § 319.8. Upon receipt of such application and after approval by the Chief of the Bureau of Entomology and Plant Quarantine, a permit will be issued authorizing the importation from the Imperial Valley, Mexico, or the specified area in the State of Tamaulipas subject to the restrictions and requirements set forth in §§ 319.8-2 to 319.8-5.

Inasmuch as this amendment is a relieving of restriction, good cause is found for making the effective date hereof less than 30 days after its publication in the FEDERAL REGISTER.

(Secs. 5, 7, 37 Stat. 316, 317; 7 U. S. C. 159, 160)

This amendment shall be effective on and after February 6, 1948.

Done at the city of Washington this 3d day of February 1948.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 48-1135; Filed, Feb. 6, 1948; 8:48 a. m.]

Chapter VIII—Production and Marketing Administration (Sugar Branch)

PART 802—SUGAR DETERMINATIONS

NORMAL YIELDS OF COMMERCIALY RECOVERABLE SUGAR PER ACRE AND ELIGIBILITY FOR PAYMENT WITH RESPECT TO ABANDONMENT AND CROP DEFICIENCY FOR SUGARCANE FARMS IN VIRGIN ISLANDS

Pursuant to the provisions of section 303 of the Sugar Act of 1948, the following determination is hereby issued:

§ 802.52 *Normal yields of commercially recoverable sugar per acre and eligibility for payment with respect to abandonment and crop deficiency for sugarcane farms in the Virgin Islands—(a) Normal yield calculation.* The normal yield of commercially recoverable sugar per acre for any farm in the Virgin Islands on which sugarcane is grown and marketed (or processed by the producer) for the extraction of sugar shall be:

(1) For any farm on which sugarcane was grown and marketed (or processed by the producer) for the extraction of sugar during all three of the crop years 1945, 1946, and 1947, the quotient obtained by dividing the total number of hundredweight of commercially recoverable sugar produced therefrom during such crop years by the total number of acres harvested during such crop years.

(2) For any farm on which sugarcane was not grown and marketed (or processed by the producer) for the extraction of sugar during all three of the crop years 1945, 1946, and 1947, the simple average of the normal yields per acre, computed as in subparagraph (1) of this paragraph, for all farms within the same local producing area, as defined herein, on which sugarcane was harvested for the extraction of sugar during all three of such crop years, and on which the conditions affecting sugarcane culture

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are similar to the conditions prevailing on the farm.

(b) *Eligibility for abandonment and deficiency payments.* A representative of the San Juan, Puerto Rico, office of the Production and Marketing Administration shall approve for abandonment and deficiency payments any farm located in a local producing area, as defined herein, in which actual yields of commercially recoverable sugar from the sugarcane for farms comprising 10 percent or more of the sugarcane acreage of all farms in such local producing area were not in excess of 80 percent of the normal yields therefor, as determined by the Officer or Acting Officer in Charge of the San Juan, Puerto Rico, office of the Production and Marketing Administration; *Provided*, (1) Such acreage abandonment or crop deficiency was directly due to drought, flood, storm, freeze, disease, or insects, (2) the acres that were abandoned or the acres with respect to

which there was a crop deficiency were suitable for the production of sugarcane and were cared for up to the time of harvest or abandonment, as the case may be, in a manner which could have been expected under average conditions to produce a normal crop of sugarcane, and (3) the other conditions for payment specified in Title III of the said act with respect to the farm have been met. Such approval on the application for payment by a representative of the San Juan, Puerto Rico, office of the Production and Marketing Administration shall constitute determination that such farm is eligible for abandonment and deficiency payments.

(c) *Definition.* A "local producing area" shall be all contiguous farms in the Virgin Islands which are found by the Officer or Acting Officer in Charge of the San Juan, Puerto Rico, office of the Production and Marketing Administration to be similar with respect to types of soil or with respect to topography: *Provided, however,* That farm separated from other farms by any natural barrier such as mountains or large areas of land shall not be included within the same local producing area.

This determination supersedes, beginning with the 1948 crop year, the determination of "Normal Yield of Commercially Recoverable Sugar per Acre and Eligibility for Payment with Respect to Abandonment and Crop Deficiency for Farms in the Virgin Islands," issued May 25, 1945 (10 F. R. 6155).

Statement of Bases and Considerations

Requirements of the Sugar Act. Under section 303 of the act, the Secretary is authorized to make payments with respect to bona fide abandonment of planted acreage and crop deficiencies of harvested acreage under certain conditions. While the general conditions are specified, certain of the specific requirements with respect to eligibility for such payments must be determined in accordance with regulations issued by the Secretary. The payments are based on normal yields of individual farms, but such normal yields must also be determined in accordance with regulations issued by the Secretary.

Historical background. The payment provisions of the Sugar Act were first made applicable to the Virgin Islands beginning with the 1942 crop. For purposes of calculating normal yields for farms in the Virgin Islands, the yields obtained during the crop years 1935, 1936 and 1939 were determined to be most representative and therefore have been used as the base years. The annual yields of commercially recoverable sugar per acre of sugarcane have been based upon the tonnage of cane per acre and the actual recovery of sugar per ton of cane at the mill where the cane is ground. Thus the efficiency of a mill is reflected to some extent in the yields of sugar.

When the payment provisions were made applicable to the Virgin Islands, only one small, inefficient mill was operating. This mill continued to operate through the 1943 crop season, after which it shut down and a larger and more efficient mill was put into operation.

Comparison of yields. The following table shows a comparison of yields during the base years 1935, 1936, and 1939 and the years 1942-47:

| | 1935 | 1936 | 1939 |
|------------------------------------|-------|-------|-------|
| Acreage harvested..... | 4,039 | 5,089 | 4,689 |
| Sugar produced (short tons)..... | 2,483 | 3,737 | 4,956 |
| Average yield (cwt. per acre)..... | 12.30 | 14.69 | 21.14 |
| | 1942 | 1943 | 1944 |
| Acreage harvested..... | 2,374 | 2,893 | 2,819 |
| Sugar produced (short tons)..... | 1,441 | 3,657 | 2,644 |
| Average yield (cwt. per acre)..... | 12.14 | 24.52 | 18.76 |
| | 1945 | 1946 | 1947 |
| Acreage harvested..... | 2,172 | 2,906 | 3,193 |
| Sugar produced (short tons)..... | 4,046 | 4,968 | 2,902 |
| Average yield (cwt. per acre)..... | 37.26 | 34.19 | 18.65 |

Averages (cwt. per acre), 1935-36-39: 16.18.

Averages (cwt. per acre), 1945-46-47: 28.96.

The weighted average yield during the 1945-47 period increased over such yield during the base period by 12.78 cwt. per acre, or 79.0 percent. Therefore the yields obtained during the base period are not indicative of the current level of yields.

Comparison with former determination. Following the policy established for sugarcane areas of determining normal yields on the basis of the average yields obtained during three representative years which reflect current yields, the foregoing determination provides that the crop years 1945-46-47 shall be used in calculating normal yields beginning with the 1948 crop year. Under the determination now in effect, the normal yield for each farm is calculated by multiplying the weighted average number of hundredweight of sugar recovered per ton of cane during the base years at the mill where the sugarcane is ground by the weighted average yield in tons of cane per acre on the farm during the base years. Under the revised determination, the normal yield for a farm will be calculated directly from the totals of harvested acreage and commercially recoverable sugar for the farm for the crop years 1945-46-47. This will result in a weighted average yield for the period, reflecting the same factors of acreage, yield of cane, and recovery of sugar per ton of cane employed under the former determination but with slightly different weights. The calculation can be made very readily from the applications for payment since such applications show the harvested acreage and hundredweight of commercially recoverable sugar. The use of a weighted average is deemed to be more satisfactory for this purpose than a simple average since the sugarcane acreage on individual farms varies significantly from year to year and there is a tendency for the quality of cane to be higher when the yield of cane per acre is low, and vice-versa. The procedure for calculating normal yields is shortened as compared with the former determination primarily by the elimination of the preliminary step of calculating yields in tons of cane per acre. The provisions with respect to eligibility for abandonment and deficiency payments remain unchanged.

Accordingly, I hereby find and conclude that the foregoing determination will effectuate the purposes of section 303 of the Sugar Act of 1948.

(Secs. 303 and 403 of Pub. Law 388, 80th Cong.)

Issued this 3d day of February 1948.

[SEAL] CLINTON P. ANDERSON,
Secretary.

[F. R. Doc. 48-1134; Filed, Feb. 6, 1948; 8:48 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

[Tangerine Reg. 72]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.380 *Tangerine Regulation 72—*
(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR, 1946 Supp., Part 933, 12 F. R. 7383), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, issued under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangerines, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the preliminary notice and public rule-making procedure requirements and the 30-day effective date requirement of the Administrative Procedure Act (Pub. Law 404, 79th Cong.; 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., February 9, 1948, and ending at 12:01 a. m., e. s. t., February 16, 1948, no handler shall ship:

(i) Any tangerines, grown in the State of Florida, which grade U. S. No. 3, or lower than U. S. No. 3 grade (as such grades are defined in the United States Standards for Tangerines, as amended (2 F. R. 2619)); or

(ii) Any tangerines, grown in the State of Florida, which are of a size smaller than the size that will pack 246 tangerines, packed in accordance with the requirements of a standard pack (as such pack is defined in the aforesaid amended United States Standards), in a half-standard box (inside dimensions 9½ x 9½ x 19½ inches; capacity 1,726 cubic inches).

(2) As used in this section "handler" and "ship" shall have the same meaning as is given to each such term in said amended marketing agreement and order. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 5th day of February 1948.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Branch, Production and Mar-
keting Administration.

[F. R. Doc. 48-1199; Filed, Feb. 6, 1948;
9:38 a. m.]

[Orange Reg. 136]

PART 933—ORANGES, GRAPEFRUIT, AND
TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.379 *Orange Regulation 136*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR, 1946 Supp., Part 933, 12 F. R. 7383), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the preliminary notice and public rule-making procedure requirements and the 30-day effective date requirement of the Administrative Procedure Act (Pub. Law 404, 79th Cong.; 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., February 9, 1948, and ending at 12:01 a. m., e. s. t., February 16, 1948, no handler shall ship:

(i) Any oranges, except Temple oranges, grown in Regulation Area I which grade U. S. No. 2 Bright, U. S. No. 2, U. S. Combination Russet, U. S. No. 2 Russet, U. S. No. 3, or lower than U. S. No. 3 grade, as such grades are defined in the United States Standards for citrus fruits, as amended (12 F. R. 6277);

(ii) Any container of oranges, except Temple oranges, grown in Regulation Area I which grade U. S. Combination Grade (as such grade is defined in the aforesaid amended United States Standards) unless at least sixty percent (60%),

by count, of the total quantity of oranges in such container meets the requirements of U. S. No. 1 grade (as such grade is defined in the aforesaid amended United States Standards) and each of the remainder of the oranges meets all the requirements of the aforesaid U. S. Combination Grade for oranges meeting the requirements of the U. S. No. 2 grade;

(iii) Any oranges, except Temple oranges, grown in Regulation Area II which grade U. S. Combination Russet, U. S. No. 2 Russet, U. S. No. 3, or lower than U. S. No. 3 grade (as such grades are defined in the aforesaid amended United States Standards);

(iv) Any oranges, except Temple oranges and except as enumerated in the following subdivision (v), grown in the State of Florida which (a) are of a size smaller than a size that will pack 288 oranges, packed in accordance with the requirements of a standard pack (as such pack is defined in the aforesaid amended United States Standards), in a standard box (as such box is defined in the aforesaid standards for containers for citrus fruit), or (b) are of a size larger than a size that will pack 150 oranges, packed in accordance with the requirements of a standard pack (as such pack is defined in the aforesaid amended United States Standards), in a standard box (as such box is defined in the aforesaid standards for containers for citrus fruit);

(v) Any oranges, except Temple oranges, grown in the State of Florida which grade U. S. No. 1 Russet, U. S. No. 1 Bronze, U. S. No. 1 Golden, U. S. No. 1 Bright, U. S. No. 1 and U. S. Fancy and which (a) are of a size smaller than a size that will pack 288 oranges, packed in accordance with the requirements of a standard pack (as such pack is defined in the aforesaid amended United States Standards), in a standard box (as such box is defined in the aforesaid standards for containers for citrus fruit), or (b) are of a size larger than a size that will pack 126 oranges, packed in accordance with the requirements of a standard pack (as such pack is defined in the aforesaid amended United States Standards), in a standard box (as such box is defined in the aforesaid standards for containers for citrus fruits); or

(vi) Any Temple oranges, grown in the State of Florida, which grade U. S. Combination Russet, U. S. No. 2 Russet, U. S. No. 3, or lower than U. S. No. 3 grade (as such grades are defined in the aforesaid amended United States Standards).

(2) As used in this section, the terms "handler," "ship," "Regulation Area I," and "Regulation Area II" shall have the same meaning as is given to each such term in said amended marketing agreement and order. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 5th day of February 1948.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Branch, Production and Mar-
keting Administration.

[F. R. Doc. 48-1201; Filed, Feb. 6, 1948;
9:38 a. m.]

[Lemon Reg. 260]

PART 953—LEMONS GROWN IN CALIFORNIA
AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.367 *Lemon Regulation 260*—(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 53 (7 CFR, Cum. Supp., 953.1 et seq.), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the preliminary notice and public rule-making procedure requirements and the 30-day effective date requirement of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2d Sess.; 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this regulation is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., February 8, 1948, and ending at 12:01 a. m., P. s. t., February 15, 1948, is hereby fixed at 240 carloads, or an equivalent quantity.

(2) The prorate base of each handler who has made application therefor, as provided in the said marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached to Lemon Regulation 259 (13 F. R. 434) and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," and "prorate base" shall have the same meaning as is given to each such term in the said marketing agreement and order. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 5th day of February 1948.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Branch, Production and Mar-
keting Administration.

[F. R. Doc. 48-1198; Filed, Feb. 6, 1948;
9:38 a. m.]

[Orange Reg. 216]

PART 966—ORANGES GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 966.362 *Orange Regulation 216—(a) Findings.* (1) Pursuant to the provisions of Order No. 66 (7 CFR, Cum. Supp., 966.1 et seq.) regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the preliminary notice and public rule-making procedure requirements and the 30-day effective date requirement of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2d Sess., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order.* (1) The quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., February 8, 1948, and ending at 12:01 a. m., P. s. t., February 15, 1948, is hereby fixed as follows:

(i) *Valencia oranges.* Prorate Districts Nos. 1, 2 and 3, no movement.

(ii) *Oranges other than Valencia oranges.* (a) Prorate District No. 1, 125 carloads; (b) Prorate District No. 2, 750 carloads; and (c) Prorate District No. 3, unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handler," "handler," "carloads," and "prorate base" shall have the same meaning as is given to each such term in the said order; and "Prorate District No. 1," "Prorate District No. 2," and "Prorate District No. 3" shall have the same meaning as is given to each such term in § 966.107 of the rules and regulations (11 F. R. 10258) issued pursuant to said order. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 5th day of February 1948.

[SEAL]

S. R. SMITH,
Director, Fruit and Vegetable
Branch, Production and Mar-
keting Administration.

PRORATE BASE SCHEDULE

(Orange Regulation Period No. 216)

[12:01 a. m. February 8, 1948, to 12:01 a. m. February 15, 1948]

ALL ORANGES OTHER THAN VALENCIA ORANGES

Prorate District No. 1

| Handler | Prorate base (percent) |
|---|------------------------|
| Total | 100.0000 |
| A. F. G. Lindsay | .0000 |
| A. F. G. Porterville | .0000 |
| A. F. G. Sides | .0000 |
| Ivanhoe Cooperative | .0000 |
| Dofflemyer, W. Todd & Son | .8103 |
| Elderwood Citrus Association | 1.2714 |
| Exeter Citrus Association | 3.9532 |
| Exeter Orange Growers Association | 1.7808 |
| Exeter Orchards Association | 1.9574 |
| Hillside Packing Association, The | .0000 |
| Ivanhoe Mutual Orange Association | 1.3842 |
| Klink Citrus Association | 6.0287 |
| Lemon Cove Association | 2.5312 |
| Lindsay Citrus Growers Association | .0000 |
| Lindsay Coop. Citrus Association | 1.9280 |
| Lindsay District Orange Co. | 2.1730 |
| Lindsay Fruit Association | 2.8253 |
| Lindsay Orange Growers Association | 1.6945 |
| Naranjo Packing House Co. | .0000 |
| Orange Cove Citrus Association | 4.5473 |
| Orange Cove Orange Growers Association | 3.4114 |
| Orange Packing Co. | 1.7690 |
| Orosi Foothill Citrus Association | 1.8675 |
| Paloma Citrus Fruit Association | 1.4546 |
| Pogue Packing House, J. E. | .0000 |
| Rocky Hill Citrus Association | 2.2775 |
| Sanger Citrus Association | 3.9999 |
| Sequoia Citrus Association | 1.4563 |
| Stark Packing Corp. | 3.3297 |
| Visalia Citrus Association | 1.3449 |
| Waddell & Son | 3.3454 |
| Butte County Citrus Association, Inc. | .0000 |
| Mills Orchard Co., James | .0000 |
| Orland Orange Growers Association, Inc. | .0000 |
| Andrews Edison Groves | .0000 |
| Baird Neece Corp. | 2.6113 |
| Beattie Association, Agnes M. | .0000 |
| Grand View Heights Citrus Association | 3.2805 |
| Magnolia Citrus Association, The | 3.2130 |
| Porterville Citrus Association, The | 1.8618 |
| Richgrove-Jasmine Citrus Association | 2.0718 |
| Sandilands Fruit Company | 1.8016 |
| Strathmore Coop. Association | 2.6934 |
| Strathmore District Orange Association | 2.6089 |
| Strathmore Fruit Growers Association | 1.7578 |
| Strathmore Packing House Co. | 2.7135 |
| Sunflower Packing Association | 3.4364 |
| Synland Packing House Co. | 3.2131 |
| Terra Bella Citrus Association | 2.1665 |
| Tule River Citrus Association | 1.7594 |
| Vandalla Packing Association | 1.1895 |
| Kroells Brothers, Ltd. | .0000 |
| Lindsay Mutual Groves | .0000 |
| Martin Ranch | .0000 |
| Woodlake Packing House | .0000 |
| Anderson Packing Co., R. H. | .0000 |
| Baker Brothers | .0000 |
| Calif. Cit. Groves, Inc., Ltd. | .0000 |
| Caswell, John | .0200 |
| Chess Company, Meyer W. | .0000 |
| Edison Groves Co. | .0000 |
| Evans Brothers Packing Co. | .0000 |
| Exeter Groves Packing Co. | .0000 |
| Furr, N. C. | .3035 |
| Ghlanda Ranch Association | .0262 |
| Harding & Leggett | 2.1067 |
| Justman-Frankenthal Co. | .0000 |

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 1—Continued

| Handler | Prorate base (percent) |
|--------------------------------|------------------------|
| Levinson, Sam | 0.0000 |
| Lo Bue Bros. | 1.2167 |
| Marks, W. & M. | .0000 |
| Paramount Citrus Association | .0000 |
| Raymond Bros. | .1731 |
| R. M. C. Porterville | .0000 |
| Reimers, Don H. | .0000 |
| Rooke Packing Co., B. G. | 1.9290 |
| Toy, Chin | .0400 |
| Webb Packing Co. | .0000 |
| Wollenman Packing Co. | .0000 |
| Woodlake Heights Packing Corp. | .0000 |
| Zaninovich Bros. | .6651 |

Prorate District No. 2

| | |
|---|----------|
| Total | 100.0000 |
| A. F. G. Alta Loma | .1646 |
| A. F. G. Corona | .5219 |
| A. F. G. Fullerton | .0522 |
| A. F. G. Orange | .0559 |
| A. F. G. Riverside | .5321 |
| Hazeltine Packing Co. | .1310 |
| Placentia Pioneer Valencia Growers Association | .0608 |
| Signal Fruit Association | .9413 |
| Azusa Citrus Association | .9201 |
| Azusa Orange Co. | .1313 |
| Damerel-Allison Co. | 1.0568 |
| Glendora Mutual Orange Association | .5101 |
| Irwindale Citrus Association | .3561 |
| Puente Mutual Citrus Association | .0469 |
| Valencia Heights Orchard Association | .2160 |
| Covina Citrus Association | 1.3668 |
| Covina Orange Growers Association | .4296 |
| Duarte-Monrovia Fruit Exchange | .4261 |
| Glendora Citrus Association | .8973 |
| Glendora Heights Orange and Lemon Growers Association | .1563 |
| Gold Buckle Association | 3.5453 |
| La Verne Orange Association | 3.5999 |
| Anaheim Citrus Fruit Association | .0789 |
| Anaheim Valencia Orange Association | .0132 |
| Eadington Fruit Co., Inc. | .2869 |
| Fullerton Mutual Orange Association | .2337 |
| La Habra Citrus Association | .1239 |
| Orange County Valencia Association | .0280 |
| Orangethorpe Citrus Association | .0253 |
| Placentia Coop. Orange Association | .0466 |
| Yorba Linda Citrus Association, The | .0093 |
| Alta Loma Heights Citrus Association | .3971 |
| Citrus Fruit Growers | .9442 |
| Cucamonga Citrus Association | .5747 |
| Etiwanda Citrus Fruit Association | .2098 |
| Mountain View Fruit Association | .1765 |
| Old Baldy Citrus Association | .4531 |
| Rialto Heights Orange Growers | .4053 |
| Upland Citrus Association | 2.1397 |
| Upland Heights Orange Association | 1.0836 |
| Consolidated Orange Growers | .0310 |
| Frances Citrus Association | .0034 |
| Garden Grove Citrus Association | .0275 |
| Goldenwest Citrus Association, The | .1153 |
| Olive Heights Citrus Association | .0490 |
| Santa Ana-Tustin Mutual Citrus Association | .0215 |
| Santiago Orange Growers Association | .1385 |
| Tustin Hills Citrus Association | .0310 |
| Villa Park Orchards Association, The | .0272 |
| Bradford Bros., Inc. | .2373 |
| Placentia Mutual Orange Association | .1710 |

RULES AND REGULATIONS

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—
continued

Prorate District No. 2—Continued

| Handler | Prorate base (percent) |
|--|---------------------------|
| Placencia Orange Growers Association | 0.1919 |
| Call Ranch | .7046 |
| Corona Citrus Association | .9572 |
| Jameson Company | .3920 |
| Orange Heights Orange Association | 1.0685 |
| Crafton Orange Growers Association | 1.4706 |
| E. Highlands Citrus Association | .4773 |
| Fontana Citrus Association | .5579 |
| Highland Fruit Growers Association | .6472 |
| Redlands Heights Groves | 1.0158 |
| Redlands Orangedale Association | 1.1306 |
| Break & Son, Allen | .2955 |
| Bryn Mawr Fruit Growers Association | 1.1630 |
| Krinar Packing Co. | 1.7659 |
| Mission Citrus Association | .7944 |
| Redlands Cooperative Fruit Association | 1.7627 |
| Redlands Orange Growers Association | 1.2144 |
| Redlands Select Groves | .5280 |
| Rialto Orange Co. | .5027 |
| Rialto Orange Co. | .2763 |
| Southern Citrus Association | .9425 |
| United Citrus Growers | .6823 |
| Zilen Citrus Co. | .7647 |
| Andrews Brothers of California | .3889 |
| Arlington Heights Citrus Co. | .6111 |
| Brown Estate, L. V. W. | 1.8168 |
| Gavilan Citrus Association | 1.7311 |
| Hemet Mutual Groves | .3192 |
| Highgrove Mutual Groves | .7106 |
| McDermont Fruit Co. | 1.8738 |
| Monte Vista Citrus Association | 1.2171 |
| National Orange Co. | .8167 |
| Riverside Heights Orange Growers Association | 1.3796 |
| Sierra Vista Packing Association | .7735 |
| Victoria Avenue Citrus Association | 2.8824 |
| Claremont Citrus Association | 1.1097 |
| College Heights Orange and Lemon Association | 1.1580 |
| El Camino Citrus Association | .5144 |
| Indian Hill Citrus Association | 1.2934 |
| Pomona Fruit Growers Exchange | 1.9244 |
| Walnut Fruit Growers Exchange | .4682 |
| West Ontario Citrus Association | 1.5137 |
| El Cajon Valley Citrus Association | .2831 |
| Escondido Orange Association | .5017 |
| San Dimas Orange Growers Association | 1.1172 |
| Ball & Tweedy Association | .0915 |
| Canoga Citrus Association | .0636 |
| N. Whittier Heights Citrus Association | .1154 |
| San Fernando Fruit Growers Association | .3322 |
| San Fernando Heights Orange Association | .3326 |
| Sierra-Madre-Lamanda Citrus Association | .2137 |
| Camarillo Citrus Association | .0089 |
| Fillmore Citrus Association | 1.3215 |
| Ojai Orange Association | 1.0055 |
| Piru Citrus Association | 1.1570 |
| Santa Paula Orange Association | .1163 |
| Tapo Citrus Association | .0064 |
| E. Whittier Citrus Association | .0148 |
| Whittier Citrus Association | .2563 |
| Whittier Select Citrus Association | .0429 |
| Anaheim Cooperative Orange Association | .0694 |
| Bryn Mawr Mutual Orange Association | .5620 |
| Chula Vista Mutual Lemon Association | .1622 |
| Escondido Cooperative Citrus Association | .1033 |
| Euclid Avenue Orange Association | 2.2099 |
| Foothill Citrus Union, Inc. | .1099 |

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—
continued

Prorate District No. 2—Continued

| Handler | Prorate base (percent) |
|--|---------------------------|
| Fullerton Cooperative Orange Association | 0.0404 |
| Garden Grove Orange Cooperative Inc. | .0266 |
| Glendora Cooperative Citrus Association | .0692 |
| Golden Orange Groves, Inc. | .2801 |
| Highland Mutual Groves, Inc. | .2986 |
| Index Mutual Association | .0039 |
| La Verne Cooperative Citrus Association | 2.7797 |
| Mentone Heights Association | .8421 |
| Olive Hillside Groves | .0093 |
| Orange Cooperative Citrus Association | .0427 |
| Redlands Foothill Groves | 2.3499 |
| Redlands Mutual Orange Association | .9210 |
| Riverside Citrus Association | .3762 |
| Ventura County Orange & Lemon Association | .1975 |
| Whittier Mutual Orange & Lemon Association | .0383 |
| Babijuce Corp. of Calif. | .6215 |
| Banks Fruit Co. | .2205 |
| California Fruit Distributors | .0571 |
| Cherokee Citrus Co., Inc. | 1.0527 |
| Chess Company, Meyer W. | .4181 |
| Evans Brothers Packing Co. | .8105 |
| Gold Banner Association | 2.0664 |
| Granada Packing House | .5949 |
| Hill, Fred A. | .7303 |
| Inland Fruit Dealers | .2754 |
| Orange Belt Fruit Distributors | 1.8573 |
| Panno Fruit Co., Carlo | .1234 |
| Paramount Citrus Association | .1439 |
| Placencia Orchards Co. | .0000 |
| San Antonio Orchard Co. | 1.3485 |
| Snyder & Sons Co., W. A. | .3384 |
| Torn Ranch | .0602 |
| Verity & Sons Co., R. H. | .0856 |
| Wall, E. T. | 1.7339 |
| Western Fruit Growers, Inc., Redlands | 2.9240 |
| Yorba Orange Growers Association | .0551 |

[F. R. Doc. 48-1200; Filed, Feb. 6, 1948;
9:38 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Serial No. SR-318]

PART 41—CERTIFICATION AND OPERATION
RULES FOR SCHEDULED AIR CARRIER
OPERATIONS OUTSIDE CONTINENTAL LIM-
ITS OF THE U. S.PART 42—NONSCHEDULED AIR CARRIER
CERTIFICATION AND OPERATION RULES

PART 43—GENERAL OPERATION RULES

PART 61—SCHEDULED AIR CARRIER RULES
LANDING PLANE EQUIPMENT ON DOUGLAS DC-6
AIRCRAFT

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 29th day of January 1948.

Special Civil Air Regulation Serial Number 404 which terminates February 1, 1948, prohibits the operation of Douglas DC-6 type aircraft in which landing flare equipment is installed, notwithstanding the requirements of §§ 41.25 (j), 42.13 (b) (4), 43.30 (b) (4), and 61.7114 (b) (4) of the Civil Air Regulations.

This Special Civil Air Regulation was the result of recommendations based upon preliminary investigation of an air carrier accident involving this type air-

craft in which flares appeared to have contributed substantially to the intensity of the fire causing that accident. As a result of further investigation, it has been determined that the flare equipment in this type aircraft must be completely insulated against the effect of any possible fire external to such equipment. We are advised that it will be impossible to provide such insulation on all such aircraft prior to May 1, 1948. Therefore, it is deemed in the public interest to extend the prohibition against carriage of landing flare equipment until such insulation has been installed.

For the reasons stated above notice and public procedure hereon are impracticable, and the Board finds that good cause exists for making this regulation effective on less than 30 days' notice.

In consideration of the foregoing the Civil Aeronautics Board hereby makes and promulgates the following Special Civil Air Regulation to become effective February 1, 1948:

Notwithstanding the provisions of the Civil Air Regulations requiring the carriage of landing flares on aircraft operated at night, Douglas DC-6 type aircraft shall not be operated with landing flare equipment installed in such aircraft, unless the Administrator finds that such equipment has been satisfactorily insulated against sources of fire external thereto.

This regulation supersedes Special Civil Air Regulation Serial Number 404 and shall terminate May 1, 1948.

(Secs. 205 (a), 601; 52 Stat. 984, 1007; 49 U. S. C. 425 (a), 551)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-1169; Filed, Feb. 6, 1948;
8:54 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue,
Department of the TreasurySubchapter A—Income and Excess Profits Taxes
[T. D. 5600]PART 19—INCOME TAX UNDER THE IN-
TERNAL REVENUE CODEPART 29—INCOME TAX; TAXABLE YEARS
BEGINNING AFTER DECEMBER 31, 1941

MISCELLANEOUS AMENDMENTS

In order to correct certain minor miscellaneous errors in Regulations 103 and Regulations 111 (26 CFR Parts 19 and 29), such regulations are amended as follows:

PARAGRAPH 1. Section 19.127 (a)-1, added by Treasury Decision 5258, approved April 13, 1943, is amended by striking out, in the second undesignated paragraph thereof, the fourth, fifth, sixth, and seventh sentences and inserting in lieu thereof the following: "This loss is deductible for taxable years beginning after December 31, 1940, and before January 1, 1942, as an ordinary loss under the provisions of section 23 (f) in the case of a corporation and section 23 (e) (3) in the case of an individual."

PAR. 2. Section 29.22 (a)-1, as amended by Treasury Decision 5507, approved

April 12, 1946, is further amended by striking out in the last sentence of the second undesignated paragraph thereof the phrase "article 22 (a)-8" and inserting in lieu thereof "\$ 29.22 (a)-8".

PAR. 3. Section 29.22 (k)-1, as amended by Treasury Decision 5425, approved December 29, 1944, is further amended by striking out in paragraph (c) in example 3 the first sentence of the third undesignated paragraph and inserting in lieu thereof the following: "For the taxable year ended June 30, 1942, H paid \$3,000, all of which is deductible by H since it was paid in the wife's first taxable year beginning after December 31, 1941."

PAR. 4. Section 29.51-1, as amended by Treasury Decision 5425, is further amended as follows:

(A) By inserting before the period in the heading in subparagraph (2), which is now entitled "Taxable years beginning after December 31, 1943," of paragraph (a) the words "and before January 1, 1946."

(B) by inserting in the first sentence of subparagraph (2) after "December 31, 1943," the following: "and before January 1, 1946,".

(C) By inserting after subparagraph (2) of such section as amended above a new subparagraph (3) as follows:

(3) *Taxable years beginning after December 31, 1945.* For each taxable year beginning after December 31, 1945, a return of income shall be made by each citizen of the United States, whether residing at home or abroad, and every individual residing within the United States though not a citizen thereof, regardless of family or marital status, if such citizen or resident has for such taxable year a gross income of \$500 or more, or a gross income in excess of the credit allowed by section 25 (b) prorated as provided in section 47 (e).

PAR. 5. Section 29.101 (18)-1, as amended by Treasury Decision 5458, approved June 15, 1945, is further amended by striking out in the first sentence of the second undesignated paragraph thereof "Form 1120" and inserting in lieu thereof "Form 1065 (except for taxable years beginning before January 1, 1947, with respect to which returns were made on Form 1120)".

PAR. 6. Section 29.113 (c)-1 is amended by striking out in the third sentence thereof the word "from" and inserting in lieu thereof the word "to".

PAR. 7. Section 29.122-4 is amended as follows:

(A) By inserting in paragraph (c) in the first sentence of subparagraph (3) thereof after "net income" the following: "and adjusted gross income for taxable years beginning after December 31, 1943,".

(B) By striking out in paragraph (c) all of subparagraph (4) and inserting in lieu thereof the following:

(4) Any deduction which is limited in amount to a percentage of the taxpayer's net income, or adjusted gross income for taxable years beginning after December 31, 1943, shall be recomputed upon the basis of the net income or adjusted gross income, as the case may be, determined

with the adjustments prescribed in the preceding paragraph.

PAR. 8. Section 29.165-7 is amended by striking out in the last sentence thereof the word "employee's" where it first occurs and inserting in lieu thereof the word "employer's".

PAR. 9. Section 29.207-1, as amended by Treasury Decision 5497, approved February 27, 1946, is further amended by striking out in paragraph (c) in the second sentence of the second undesignated paragraph thereof the words "equal to the excess of 2 percent of that portion in excess of \$75,000" and inserting in lieu thereof "equal to 2 percent of that portion in excess of \$75,000".

PAR. 10. Section 29.212-1, as amended by Treasury Decision 5425, is further amended by adding in paragraph (b) in the last sentence of the second undesignated paragraph thereof after "governments" the words "or of international organizations".

(Sec. 62, Internal Revenue Code, 53 Stat. 32; 26 U. S. C. 62)

The amendments made herein correct minor miscellaneous technical and clerical errors, and it is therefore found that it is unnecessary to issue this Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946.

[SEAL] WM. T. SHERWOOD,
Acting Commissioner
of Internal Revenue.

Approved: February 2, 1948.

A. L. M. WIGGINS,
Acting Secretary of the Treasury.

[F. R. Doc. 48-1138; Filed, Feb. 6, 1948;
8:48 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Office of International Trade, Department of Commerce

Subchapter B—Export Control

[Amdt. 388]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is amended as follows:

| Dept. of Comm. Sched. B No. | Commodity | Unit | GLV dollar value limits country group | |
|-----------------------------|---|-------------|---------------------------------------|------|
| | | | K | E |
| 421401 | Wood manufactures: | | | |
| 421405 | Plywood, aero grade..... | Sq. ft..... | None | None |
| 421409 | Plywood, hardwood, except aero grade..... | Sq. ft..... | None | None |
| | Plywood, softwood, except Douglas fir and aero grade..... | Sq. ft..... | None | None |
| 620998 | Iron and steel manufactures: | | | |
| | Tinplate, decorated, embossed, or otherwise advanced..... | | 1 | 1 |
| 796800 | Railway cars, equipment, and parts: | | | |
| 796900 | Air-brake equipment, and parts..... | | 100 | 100 |
| | Parts for railway cars (report axles and wheels in 610515, 610518, 610525, 610528, 610535, and 610538) except: car power units, and parts; car replacers, and parts; dash lights, and parts, for railway motor cars; illuminating lights and parts; inspection car parts; maintenance car parts; pinlock brakes and parts; power units, for electric and gasoline motor cars; push car parts; release handles, and parts; sleet cutters; track inspection car parts; trackless trolley parts; tram parts, electric; trolley retrievers, and parts; truck parts, railroad, gasoline; and velocipede railway parts. | | 100 | 100 |

The list of commodities set forth in paragraph (b) is amended by deleting therefrom the following commodities:

| Dept. of Comm. Sched. B No. | Commodity |
|-----------------------------|--|
| | Other nonferrous ores, metals and alloys, except precious: |
| 663900 | Thoriated tungsten wire. |
| 664598 | Monazite sands. |
| 664598 | Thorium ores and concentrates. |
| 664598 | Uranium ores and concentrates. |
| 664998 | Thorium metals and alloys. |
| 664998 | Uranium metal. |
| | Medicinal and pharmaceutical preparations: |
| 813590 | Uranium acetate. |
| 813590 | Uranium salts and compounds. |
| | Industrial chemicals: |
| 839900 | Thorium salts and compounds, including thorium oxide and thorium nitrate. |
| 839900 | Uranium acetate. |
| 839900 | Uranium salts and compounds. |
| | Scientific and professional instruments, apparatus and supplies: |
| 919098 | Mass spectrometers. |
| 919098 | Radiation detection instruments containing the following: Geiger-Mueller counters, proportional counters, ionization chambers, electroscopes, scaling units, and count rate meters. |

This amendment shall become effective February 9, 1948.

(Sec. 6, 54 Stat. 714, 55 Stat. 206, 56 Stat. 463, 58 Stat. 671, 59 Stat. 270, 60 Stat. 215, 61 Stat. 214, 61 Stat. 321; Pub. Law 395, 80th Cong.; 50 U. S. C. App. and Sup. 701, 702; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; E. O. 9919, Jan. 3, 1948, 13 F. R. 59)

Dated: January 27, 1948.

FRANCIS MCINTYRE,
Assistant Director,
Office of International Trade.

[F. R. Doc. 48-1154; Filed, Feb. 6, 1948;
8:51 a. m.]

[Amdt. 389]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is amended as follows:

The list of commodities set forth in paragraph (b) is amended by adding thereto the following commodities:

Shipments of any of the above commodities removed from general license which were on dock, on lighter, laden aboard the exporting carrier, or in transit to ports of exit pursuant to actual orders for export prior to the effective date of this amendment may be exported under the previous general license provisions.

This amendment shall become effective February 16, 1948.

(Sec. 6, 54 Stat. 714, 55 Stat. 206, 56 Stat. 463, 58 Stat. 671, 59 Stat. 270, 60 Stat. 215, 61 Stat. 214, 61 Stat. 321; Pub. Law 395, 80th Cong.; 50 U. S. C. App. and Sup. 701, 702; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; E. O. 9919, Jan. 3, 1948, 13 F. R. 59)

Dated: February 2, 1948.

FRANCIS MCINTYRE,
Assistant Director,
Office of International Trade.

[F. R. Doc. 48-1155; Filed, Feb. 6, 1948;
8:51 a. m.]

Chapter XXIII—War Assets Administration

[Reg. 21, Order 2]

PART 8321—PRICING AND DISTRIBUTION POLICY FOR PRODUCTION MATERIALS AND PRODUCTION EQUIPMENT

DISPOSAL OF EXPLOSIVES AND RELATED PRODUCTS

In view of the many hazards to public health and safety which surround the handling and disposition of certain explosives and certain commodities used for blasting purposes, and to assure compliance with the laws and regulations relating thereto, it is deemed advisable to provide safeguards with respect to the disposal of such property.

Pursuant to the authority of the Surplus Property Act of 1944 as amended (58 Stat. 765, as amended; 50 U. S. C. App. Sup. 1611; Public Law 181, 79th Congress (59 Stat. 533; 50 U. S. C. App. Sup. 1614a, 1614b); and Reorganization Plan 1 of 1947 (12 F. R. 4534), it is hereby ordered, that:

§ 8321.52 *Disposal of explosives and related products.* In any disposals of the following materials: (a) High explosives used for blasting purposes, including but not limited to dynamite, T. N. T., and demolition blocks; (b) Supplies used for blasting purposes, such as blasting caps, fuse lighters, detonators, detonating cord, primacord, primers, fuses; and (c) Chemicals used in the manufacture of ammunition primers; the following procedure shall apply:

(1) All materials of the above classifications offered by a disposal agency shall be properly identified in the offering with respect to their hazardous characteristics.

(2) All the materials of the above classifications shall be labeled by the disposal agency prior to shipment so that their hazardous character would be immediately evident upon inspection.

¹ WAA Reg. 21 (13 F. R. 498).

(3) Purchasers of materials of the above classifications shall be required by the disposal agency to execute the following certification: It is hereby certified that the purchaser will comply with all applicable Federal, State and local laws, ordinances, and regulations respecting the care, handling, storage, shipment, resale, export and other use of the materials hereby purchased, and that he is a user of or dealer in said materials capable of complying with all applicable Federal, State and local laws. This certification is made in accordance with and subject to the penalties of section 35 (a) of the U. S. Criminal Code.

This section shall become effective February 6, 1948.

JESS LARSON,
Administrator.

FEBRUARY 4, 1948.

[F. R. Doc. 48-1208; Filed, Feb. 6, 1948;
9:22 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter II—Forest Service, Department of Agriculture

PART 201—NATIONAL FORESTS

CHUGACH AND TONGASS NATIONAL FORESTS

CROSS REFERENCE: For order which affects the tabulation contained in § 201.1 by excluding certain tracts of land from the Chugach and Tongass national forests and restoring them to homesite entry, see Public Land Order 441 in the Appendix to Chapter I of Title 43, *infra*.

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Subchapter B—Applications and Entries

[Circular 1671]

PART 101—GENERAL REGULATIONS INVOLVING APPLICATIONS AND ENTRIES

APPLICATIONS FOR LANDS CONTAINING RANGE IMPROVEMENTS

The following new section is added to Part 101:

§ 101.20 *Action on applications.* When applications under the public land laws for lands upon which range improvements have been placed by the United States pursuant to the authority of section 10 of the Taylor Grazing Act, June 28, 1934 (48 Stat. 1269, 1273; 43 U. S. C. 3151) as amended, are filed in a district land office or other authorized office of the Bureau of Land Management they should be referred to the appropriate official for determination as to whether the application may be allowed, notwithstanding such improvements, and if so, with or without a reservation. No rights are acquired to such lands merely by the filing of an application since any parts of the legal subdivisions thus improved are considered appropriated within the meaning of sections 7, 8, and 14 of the Taylor Grazing Act. See 84 F. 2d 232 and

44 L. D. 359, 513. (R. S. 453, 2478; 43 U. S. C. 2, 1201)

FRED W. JOHNSON,
Director.

Approved: January 30, 1948.

MARTIN G. WHITE,
Acting Assistant Secretary
of the Interior.

[F. R. Doc. 48-1129; Filed, Feb. 6, 1948;
8:45 a. m.]

Subchapter L—Mineral Lands

[Circular 1672]

PART 194—POTASSIUM PERMITS AND LEASES

FORM OF LEASE

Section 194.24 *Form of lease* (12 F. R. 2130) is amended by eliminating section 3 (d) of the lease form therein contained. (Sec. 32, 41 Stat. 450; 30 U. S. C. 189)

FRED W. JOHNSON,
Director.

Approved: January 29, 1948.

OSCAR L. CHAPMAN,
Under Secretary of the Interior.

[F. R. Doc. 48-1130; Filed, Feb. 6, 1948;
8:45 a. m.]

Appendix—Public Land Orders

[Public Land Order 441]

ALASKA

EXCLUDING CERTAIN TRACTS OF LAND FROM CHUGACH AND TONGASS NATIONAL FORESTS AND RESTORING THEM TO HOMESITE ENTRY

By virtue of the authority vested in the President by the act of June 4, 1897, 30 Stat. 11, 36 (16 U. S. C. 473), and pursuant to Executive Order No. 9337 of April 24, 1943 (3 CFR, Cum. Supp.), it is ordered as follows:

The following-described tracts of public land in Alaska, occupied as homesites, and identified by surveys of which plats and field notes are on file in the Bureau of Land Management, Washington, D. C., are hereby excluded from the Chugach and Tongass National Forests as herein-after indicated, and restored, subject to valid existing rights, for purchase as homesites under that part of section 10 of the act of May 14, 1898, added by the act of May 26, 1934, 48 Stat. 809 (U. S. C. title 48, sec. 461):

CHUGACH NATIONAL FOREST

U. S. Survey No. 2622, in the vicinity of Boswell Bay, Hinchinbrook Island, 4.31 acres; latitude 60°23'40" N., longitude 146°05'48" W. (Homesite No. 49).

TONGASS NATIONAL FOREST

U. S. Survey No. 2404, lot 74, 1.45 acres; latitude 55°19'20" N., longitude 131°30'00" W. (Homesite No. 802, Herring Bay Group); U. S. Survey No. 2553, lot "A", 2.70 acres; latitude 55°28'09" N., longitude 131°46'44" W. (Homesite No. 372, Clover Pass Group); U. S. Survey No. 2553, lot "AA", 0.77 of an acre; latitude 55°28'09" N., longitude 131°46'44" W. (Homesite No. 739, Clover Pass Group);

U. S. Survey No. 2554, lot G., 4.44 acres; latitude 55°28'00" N., longitude 131°47'00" W. (Homesite No. 587, Clover Pass Group).

OSCAR L. CHAPMAN,
Under Secretary of the Interior.

JANUARY 30, 1948.

[F. R. Doc. 48-1131; Filed, Feb. 6, 1948;
8:45 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 8665]

PART 12—AMATEUR RADIO SERVICE

CODES AND CIPHERS PROHIBITED

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 29th day of January 1948;

The Commission having under consideration the matter of the amendment of Part 12 of its rules and regulations governing Amateur Radio Service by adding a new § 12.105 prohibiting the transmission of radio messages in codes or ciphers in domestic and international communications to or between amateur radio stations; and

It appearing, that on December 3, 1947, general notice of proposed rule making with respect thereto was published in accordance with section 4 (a) of the Administrative Procedure Act; and

It further appearing, that the period in which interested parties were afforded an opportunity to submit comments expired December 31, 1947 and during that period the Commission received no comments in opposition to the proposed amendment as above mentioned; and

It further appearing, that the proposed amendment would reflect the provisions of Article 8, section 2 (1) of the General Radio Regulations (Cairo Revision, 1938), would relieve the Commission's Monitoring Units of difficulties presently experienced in decoding radio messages transmitted in codes or ciphers, and would otherwise serve the public interest; and

It further appearing, that authority for the proposed amendment is contained in sections 303 (b), (f), (n), (r) and 403 of the Communications Act of 1934, as amended.

It is ordered, That effective March 8, 1948, Part 12 of the Commission's rules and regulations governing Amateur Radio Service, be amended, by the addition of a new § 12.105 to read as follows:

§ 12.105 *Codes and ciphers prohibited.* The transmission by radio of messages in codes or ciphers in domestic and international communications to or between amateur stations is prohibited. All communications regardless of type of emission employed shall be in plain language except that generally recognized abbreviations established by regulation or custom and usage are permissible as are any other abbreviations or signals where the intent is not to obscure the meaning but only to facilitate communications. (Secs. 303 (b), (f), 403, 48 Stat. 1082, 1094, secs. 303 (n), (r), 50 Stat. 191; 47 U. S. C. 303 (b), (f), (n), (r), 403)

Released: January 30, 1948.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-1143; Filed, Feb. 6, 1948;
8:49 a. m.]

PART 13—COMMERCIAL RADIO OPERATORS

MISCELLANEOUS AMENDMENTS

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 30th day of January 1948;

The Commission having under consideration certain proposed amendments of Part 13 of its rules and regulations governing Commercial Radio Operators providing for certain editorial changes therein; and

It appearing, that the proposed amendments, which are set forth below, would eliminate material that is now obsolete, would change the terminology therein to conform with the terminology

commonly used in other parts of its rules and regulations, and would be in the public interest; and

It further appearing, that said amendments provide for no change of a substantive nature and, therefore, that the public notice and procedure prescribed by section 4 (a), (b) and (c) of the Administrative Procedure Act are unnecessary, and these amendments may become effective immediately; and

It further appearing, that authority for the proposed amendments is contained in sections 4 (1), 303 (1) and 303 (r) of the Communications Act of 1934, as amended;

It is ordered, That, effective immediately, Part 13 of the Commission's rules and regulations governing Commercial Radio Operators, is amended, as set forth below.

Released: January 30, 1948.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

Part 13 of the rules and regulations governing Commercial Radio Operators is amended as follows:

1. In § 13.11 (a) delete footnotes 3 and 3a and text references thereto.

2. In § 13.12 delete footnote 5 and text references thereto.

3. In §§ 13.21, 13.22 and 13.23 delete footnote (not numbered) relating to temporary waiver of these sections to permit oral instead of written examinations for Restricted Radiotelephone Operator Permits in certain cases.

4. In § 13.61 (a) delete the words "or high frequency" and insert the words "FM broadcast stations, non-commercial educational FM broadcast stations with transmitter power rating in excess of 1 kw".

5. In § 13.61 (c) (1), (d) (1), (e) Exception (1), (f) Exception (1) delete the words "a relay broadcast station" and insert the words "remote pickup and ST broadcast stations".

6. In § 13.62 (a) delete "300000 kilocycles" and insert "300 megacycles".

[F. R. Doc. 48-1144; Filed, Feb. 6, 1948;
8:49 a. m.]

PROPOSED RULE MAKING

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR, Part 13]

[Docket No. 8752]

COMMERCIAL RADIO OPERATORS

NOTICE OF PROPOSED RULE MAKING

In the matter of amendment of § 13.74 and establishment of § 13.75 of Part 13 of the Commission's rules and regulations governing commercial radio operators.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. The proposed rule changes, set forth below, contemplate amendment of § 13.74 and establishment of a new § 13.75,

No. 27—2

primarily to liberalize, with respect to service and maintenance operators, the heretofore rigid requirement of posting radio operator licenses or verified statements, and to provide, in lieu thereof, for the making of certain on-the-spot station log or maintenance record-entries together with (at the option of the operators) either the posting of their operator licenses or the personal possession of their licenses or of verification cards. Provision is also made for the use of a verified statement by operators who perform radio operating (as contrasted with service or maintenance) duties, thus enabling such operators to comply with posting requirements when they perform duties at more than one licensed radio station.

3. The proposed amendment and new rule are issued under the authority of section 303 (1) and (r) of the Communications Act of 1934, as amended.

4. Any interested party who is of the opinion that the proposed rules should not be adopted or should not be adopted in the form set forth herein, may file with the Commission, on or before March 1, 1948, a written statement or brief setting forth his comments. The Commission will consider all comments that are received before taking final action in the matter, and if any comments are received which appear to warrant the Commission in holding an oral argument before final action is taken, notice of the time and place of such oral argument will be given interested parties.

5. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs or comments filed shall be furnished the Commission.

Adopted: January 29, 1948.

Released: January 30, 1948.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

1. Section 13.74 is amended to read as follows:

§ 13.74 *Posting requirements for operators*—(a) *Performing duties other than, or in addition to, service or maintenance, at two or more stations.* The holder of any class of radio operator license or permit of the diploma form (as distinguished from the card form) who performs any radio operating duties, as contrasted with but not necessarily exclusive of service or maintenance duties, at two or more stations at which posting of his license or permit is required shall post at one such station his operator license or permit and shall post at all other such stations a duly issued verified statement.²⁴

(b) *Performing service or maintenance duties at one or more stations.* The holder of a radiotelephone or radiotelegraph first or second class radio operator license who performs, or supervises, and is responsible for service or maintenance work on any transmitter of any station for which a station license is required, shall post his license at the transmitter involved whenever the transmitter is in actual operation while service or maintenance work is being performed; *Provided*, That in lieu of posting his license, he may have on his person either his license or a verification card.²⁵ *And provided further*, That if he performs operating duties in addition to service or maintenance duties he shall, in lieu of complying with the foregoing provisions of this section, comply with the posting requirements applicable to persons performing such operating duties, as set forth in paragraph (a) of this section, and in the rules and regulations applicable to each service.

2. A new § 13.75 is adopted to read as follows:

§ 13.75 *Record of service and maintenance duties performed.* In every case where a station log or service and maintenance records are required to be kept, and where service or maintenance duties are performed which may affect the proper operation of a station, the responsible operator shall sign and date an entry in the log of the station concerned, or in the station maintenance records if no log is required, giving:

- (a) Pertinent details of all duties performed by him or under his supervision,
- (b) His name and address, and
- (c) The class, serial number and expiration date of his license,

Provided, That the information called for under paragraphs (b) and (c) of this section, so long as it remains the same, is not required to be repeated in the case of an operator who is regularly employed as operator on a full-time basis at the station.

[F. R. Doc. 48-1145; Filed, Feb. 6, 1948; 8:50 a. m.]

FEDERAL SECURITY AGENCY

Public Health Service

[42 CFR, Part 71]

FOREIGN QUARANTINE

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the Surgeon General proposes to prescribe an insecticide and method of disinsectization to be used in the disinsectization of aircraft required under § 71.513 (d), Title 42, Code of Federal Regulations. Interested persons may submit, in writing, to the Surgeon General of the Public Health Service, Washington 25, D. C., views, data, or arguments in relation to the proposed prescription not later than 21 days after the date of publication of this notice in the FEDERAL REGISTER.

The proposed prescription is herewith set out:

The following insecticides and disinsectization method are prescribed for use in the disinsectization of aircraft required under § 71.513 (d), Title 42, Code of Federal Regulations:

Insecticides. The insecticide shall be either Insecticidal Aerosol G-382, the formula of which is given below, or an insecticide found by the Surgeon General of the Public Health Service, upon application of the owner or operator of an aircraft, to be substantially as effective as Insecticidal Aerosol Formula G-382:

| Formula for insecticidal aerosol G-382 | Percent by weight |
|---|-------------------|
| Pyrethrum extract, purified (20% pyrethrins)----- | Five (5) |
| DDT (aerosol grade)----- | Three (3) |
| Cyclohexanone----- | Five (5) |
| Lubricating oil (SAE 30)----- | Two (2) |
| Freon "12"----- | Eighty-five (85) |

Method. (a) The insecticide shall be dispensed in the amount of not less than 5 grams for each 1000 cu. ft. of enclosed space in the aircraft, and shall be released or sprayed throughout all accessible compartments.

(b) Disinsectization may be accomplished either while the aircraft is in flight or while on the ground prior to take-off, but in no case shall disinsectization be accomplished later than 30 minutes prior to the first landing at a United States port.

(c) The ventilation system shall be stopped and all openings to the exterior kept closed while the insecticide is being released or sprayed, and for a period of not less than 3 minutes thereafter. If disinsectization is accomplished on the ground prior to take-off, the ventilation system may be opened at the end of such period, provided that the system is equipped with filters or other means for preventing the entrance of insects into the aircraft, but doors, windows, or other such openings to the exterior shall be kept closed until after the take-off, except (1) in case of emergency, or (2) to permit persons applying the insecticide to debark.

Dated: January 29, 1948.

[SEAL] THOMAS PARRAN,
Surgeon General.

Approved: February 3, 1948.

OSCAR R. EWING,
Federal Security Administrator.

[F. R. Doc. 48-1128; Filed, Feb. 6, 1948; 8:45 a. m.]

NOTICES

TREASURY DEPARTMENT

United States Coast Guard

[CGFR 48-3]

FLAME ARRESTORS FOR TANK VESSELS

TERMINATION OF APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417a, 4491, and sec. 5 (e), 55 Stat. 244, as amended (46 U. S. C. 375, 391a, 489, 50 U. S. C. 1275), and section 101 of Reorganization Plan

No. 3 of 1946 (11 F. R. 7875), the following approvals for inverted ball vent check valves are terminated and shall be made effective upon the thirty-first day after the date of publication of this document in the FEDERAL REGISTER:

FLAME ARRESTORS FOR TANK VESSELS

Termination of approval No. 162.017/8/0, "Marelico" non-return vent pipe valve, atmospheric pattern, hemispherical ball float type, bronze body, open top, Dwg. "4" non-return automatic vent pipe valve approved for sizes 2½" and above for use with inflammable or combustible liquids of Grade B or lower, manufac-

tured by Marine Electric Co., 107 Main Street, Seattle, Wash. (Published in F. R. July 31, 1947, 12 F. R. 5230)

Termination of approval No. 162.017/52/0, "Varec" Fig. No. 530, inverted ball vent check valve, weight loaded ball check, atmospheric pattern, all bronze, flanged connection, fitted with cover, and flame screens, Bulletin No. M-4, approved for 2½", 3", 3½", 4", 5", 6", and 8" pipe sizes, for use with inflammable or combustible liquids or Grade D or lower, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif. (Pub-

²⁴ Form 759.

²⁵ Form 758-F.

lished in F. R. July 31, 1947, 12 F. R. 5233)

Termination of approval No. 162.017/53/0, "Varec" Fig. No. 531, inverted ball vent check valve, weight loaded ball check, atmospheric pattern, all bronze, screwed connection, fitted with cover and flame screens, Bulletin No. M-4, approved for 2½", 3" 3½", 4", 5", 6", and 8" pipe sizes, for use with inflammable or combustible liquids of Grade D or lower, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif. (Published in F. R. July 31, 1947, 12 F. R. 5233)

NOTE: The termination of the above approvals is made because the inverted ball vent check valves covered do not require approval and companies have filed appropriate affidavits covering the manufacture of the valves. This termination of approval shall not require or prohibit the use of the valves described on merchant tank vessels of the United States.

Dated: February 2, 1948.

[SEAL] J. F. FARLEY,
Admiral, U. S. Coast Guard,
Commandant.

[F. R. Doc. 48-1137; Filed, Feb. 6, 1948;
8:46 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

EMPLOYMENT OF HANDICAPPED CLIENTS BY SHELTERED WORKSHOPS

NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES

Notice is hereby given that special certificates authorizing the employment of handicapped clients at hourly wage rates lower than the minimum wage rates applicable under section 6 of the Fair Labor Standards Act of 1938 and section 1 (b) of the Walsh-Healey Public Contracts Act have been issued to the sheltered workshops hereinafter mentioned, under section 14 of the Fair Labor Standards Act of 1938 (Sec. 14, 52 Stat. 1068; 29 U. S. C. 214) and Part 525 of the regulations issued thereunder (29 CFR, Cum. Supp., Part 525, amended 11 F. R. 9556), and under sections 4 and 6 of the Walsh-Healey Public Contracts Act (Secs. 4, 6, 49 Stat. 2038; 41 U. S. C. 38, 40) and Article 1102 of the regulations issued pursuant thereto (41 CFR, Cum. Supp., 201.1102).

The names and addresses of the sheltered workshops to which certificates were issued, wage rates, and the effective and expiration dates of the certificates are as follows:

Goodwill Industries of Dallas, 2511 Elm Street, Dallas 1, Texas; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 20 cents per hour, whichever is higher; certificate is effective January 10, 1948 and expires December 31, 1948.

Minnesota Homcrafters, Inc., 1721 West Superior Street, Duluth, Minnesota; at a wage rate of not less than the piece rate paid non-handicapped em-

ployees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 5 cents per hour, whichever is higher; certificate is effective February 5, 1948 and expires January 31, 1949.

Minnesota Homcrafters, Inc. (Branch), 2624 Hennepin Avenue, Minneapolis, Minnesota; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 10 cents per hour, whichever is higher; certificate is effective February 5, 1948, and expires January 31, 1949.

The employment of handicapped clients in the above-mentioned sheltered workshops under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 525 of the regulations. These certificates have been issued on the applicants' representations that they are sheltered workshops as defined in the regulations and that special services are provided their handicapped clients. A sheltered workshop is defined as, "A charitable organization or institution conducted not for profit, but for the purpose of carrying out a recognized program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury, and to provide such individuals with remunerative employment or other occupational rehabilitating activity of an educational or therapeutic nature."

The certificates may be cancelled in the manner provided by the regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER.

Signed at Washington, D. C., this 30th day of January 1948.

RAYMOND G. GARCEAU,
Director, Field Operations Branch.

[F. R. Doc. 48-1168; Filed, Feb. 6, 1948;
8:54 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 8074]

UNION-CAROLINA BROADCASTING CO.

ORDER CONTINUING HEARING

In re application of Union-Carolina Broadcasting Company, Union, South Carolina, for construction permit; Docket No. 8074, File No. BP-5304.

The Commission having under consideration a petition filed January 16, 1948, by Union-Carolina Broadcasting Company, Union, South Carolina, requesting a 45-day continuance of the hearing now scheduled for February 10, 1948, at Washington, D. C., on its above-entitled application for construction permit;

It is ordered, This 23d day of January 1948, that the petition be, and it is hereby, granted; and that the said hearing be, and it is hereby, continued to 10:00

a. m., Monday, March 22, 1948, at Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-1147; Filed, Feb. 6, 1948;
8:50 a. m.]

[Docket No. 8117]

LIVE OAK BROADCASTING CO.

ORDER CONTINUING HEARING

In re application of John A. Boling, d/b as Live Oak Broadcasting Company, Live Oak, Florida, for construction permit; Docket No. 8117, File No. BP-5254.

The Commission having under consideration a petition filed January 21, 1948, by John A. Boling, d/b as Live Oak Broadcasting Company, Live Oak, Florida, requesting a continuance, to such date as the Commission may designate, of the hearing on its above-entitled application for construction permit, now scheduled for February 4, 1948, at Washington, D. C.;

It is ordered, This 23d day of January 1948, that the petition be, and it is hereby, granted; and that the said hearing on the above-entitled application be, and it is hereby, continued to 10:00 a. m., Friday, March 26, 1948, at Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-1149; Filed, Feb. 6, 1948;
8:50 a. m.]

[Docket Nos. 8185, 8186]

E. F. PEPPER (KGDM) AND SACRAMENTO
BROADCASTERS, INC.

ORDER CONTINUING HEARING

In re applications of E. F. Pepper (KGDM), Stockton, California, Docket No. 8185, File No. BP-5554; Sacramento Broadcasters, Inc., Chico, California, Docket No. 8186, File No. BP-5745; for construction permits.

The Commission having under consideration a joint petition filed January 20, 1948, by E. F. Pepper (KGDM), Stockton, California, and Sacramento Broadcasters, Inc., Chico, California, requesting a 60-day continuance of the hearing on their above-entitled applications for construction permits, now scheduled for January 26, 1948, at Washington, D. C.;

It is ordered, This 23d day of January 1948, that the petition be, and it is hereby, granted; and that the said hearing on the above-entitled applications be, and it is hereby, continued to 10:00 a. m., Thursday, March 25, 1948, at Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-1148; Filed, Feb. 6, 1948;
8:50 a. m.]

[Docket No. 8279]

FOUNDATION CO. OF WASHINGTON
ORDER CONTINUING HEARING

In re application of Foundation Company of Washington, Washington, D. C., for construction permit; Docket No. 8279, File No. BP-4997.

The Commission having under consideration a petition filed December 17, 1947, by Foundation Company of Washington, Washington, D. C., requesting an approximately 90-day continuance of the hearing on its above-entitled application for construction permit, originally scheduled for December 23, 1947;

It appearing, that the Commission, on its own motion, continued the said hearing to January 30, 1948, and that counsel for petitioner requested, on December 19, 1947, that action on the petition be deferred to a later date; and

It further appearing, that an approximately 60-day continuance from January 30, 1948, would serve the public interest, convenience and necessity;

It is ordered, This 23d day of January 1948, that the petition be, and it is hereby, granted in part; and that the said hearing on the above-entitled application be, and it is hereby, continued to 10:00 a. m., Tuesday, March 30, 1948, at Washington, D. C.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-1151; Filed, Feb. 6, 1948;
8:50 a. m.]

[Docket No. 8392]

WFMJ BROADCASTING CO.

ORDER AMENDING ISSUES

In re application of the WFMJ Broadcasting Company (WFMJ), Youngstown, Ohio, for modification of construction permit; Docket No. 8392, File No. BMP-2440.

The Commission having under consideration a petition filed January 13, 1948, by The WFMJ Broadcasting Company (WFMJ), Youngstown, Ohio, requesting that Issues No. 1 and No. 3 designated for hearing in the proceeding on the above-entitled application for modification of construction permit be deleted;

It appearing, that petitioner has, in the above-entitled application and in the instant petition, represented that there have been no changes in the petitioner's qualifications and proposed program service since the grant of the petitioner's construction permit (File No. BP-4311; Docket No. 7134);

It is ordered, This 23d day of January 1948, that the petition be, and it is hereby, granted; and that, in reliance on petitioner's said representation, Issues No. 1 and No. 3 now designated for hearing in the proceeding on the above-entitled application be, and they are hereby, deleted.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-1153; Filed, Feb. 6, 1948;
8:51 a. m.]

[Docket No. 8415]

KANSAS CITY BROADCASTING AND
TELEVISION CO.

ORDER CONTINUING HEARING

In re application of Kansas City Broadcasting and Television Company, Kansas City, Missouri, for construction permit; Docket No. 8415, File No. BP-5829.

The Commission having under consideration a petition filed January 8, 1948, by Kansas City Broadcasting & Television Company, a partnership composed of Wendell Zimmerman, Carl O. Jones, Roy L. Morris and D. E. Varner, Kansas City, Missouri, requesting that the hearing now scheduled for Monday, March 15, 1948, at Kansas City, Missouri, on its above-entitled application for construction permit be continued for one or two weeks;

It is ordered, This 23d day of January 1948, that the petition be, and it is hereby, granted; and that the said hearing on the above-entitled application be, and it is hereby, continued to 10:00 a. m. Friday, March 26, 1948, at Kansas City, Missouri.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-1150; Filed, Feb. 6, 1948;
8:50 a. m.]

[Docket Nos. 8445, 8446, 8549]

UTICA OBSERVER DISPATCH, INC., ET AL.

ORDER CONTINUING HEARING

In re applications of Utica Observer Dispatch, Inc., Utica, New York, Docket No. 8445, File No. BP-6015; Joseph A. Hanna and Michael Hanna, d/b as Hanna Broadcasting Company, Utica, New York, Docket No. 8446, File No. BP-6129; Mac Berger and Morris I. Henry, d/b as Utica Broadcasting Company, Utica, New York, Docket No. 8549, File No. BP-6257; for construction permit.

The Commission having under consideration a petition filed January 13, 1948, by Joseph A. Hanna and Michael Hanna, d/b as Hanna Broadcasting Company, Utica, New York, requesting a 45-day continuance of the hearing now scheduled to begin February 2, 1948, at Utica, New York, in the consolidated proceeding on the above-entitled applications;

It appearing, that counsel for Utica Observer Dispatch, Inc., and Utica Broadcasting Company, Utica, New York, have consented to a grant of the petition;

It is ordered, This 16th day of January 1948, that the petition be, and it is hereby, granted; and that the said hearing on the above-entitled application be, and it is hereby, continued to 10:00 a. m., Monday, March 8, 1948, at Utica, New York.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-1152; Filed, Feb. 6, 1948;
8:51 a. m.]

[Docket No. 8480]

SALT RIVER VALLEY BROADCASTING CO.
(KOY)

ORDER CONTINUING HEARING

In re application of Salt River Valley Broadcasting Company (KOY), Phoenix, Arizona, for construction permit; Docket No. 8480, File No. BP-5733.

The Commission having under consideration a petition filed January 19, 1948, by Salt River Valley Broadcasting Company (KOY), Phoenix, Arizona, requesting a 20-day continuance of the hearing on its above-entitled application for construction permit now scheduled for January 27, 1948, at Washington, D. C.;

It is ordered, This 23d day of January, 1948, that the petition be, and it is hereby, granted; and that the said hearing be, and it is hereby, continued to 10:00 a. m., Monday, February 16, 1948, at Washington, D. C.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-1146; Filed, Feb. 6, 1948;
8:50 a. m.]

[Docket Nos. 7487-7489]

JACKSON BROADCASTING CO. ET AL.

ORDER AMENDING ISSUES

In re applications of Jackson Broadcasting Company, Jackson, Tennessee, Docket No. 7487, File No. B3-P-3792; Hub City Broadcasting Company, Jackson, Tennessee, Docket No. 7488, File No. B3-P-4523; George Arthur Smith, Jackson, Tennessee, Docket No. 7489, File No. B3-P-4580; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 23d day of January 1948:

The Commission having under consideration a petition, filed January 14, 1948, by George Arthur Smith, one of the above-named applicants, requesting the Commission to vacate its order of December 4, 1947, setting aside the Decision in the above-entitled proceeding and reopening the record for further hearing on issues designated in that order, on the ground that petitioner will resign his office as Mayor upon the order being vacated and the final Decision reinstated and, therefore, any further hearing as to the time which petitioner has to devote to the proposed station has become moot; and the Commission also having under consideration the other matters heretofore considered in this proceeding; and

It appearing, that the purpose of the further hearing in this proceeding is to determine the accuracy and completeness of the evidence now contained in the record with respect to the duties of the Mayor of Jackson, Tennessee, in order that the Commission may be more fully advised as to the correctness of the basis for its Decision of May 8, 1947; and that this further hearing is not for the purpose of taking evidence as to any subsequent plans of any of the parties, since so to do would be contrary to the principle of administrative finality;

It is ordered, That the petition of George Arthur Smith be, and it is hereby, denied; and

It is further ordered, That the issues contained in the order of December 4, 1947, be, and they are, amended to read as follows:

1. To determine the duties of and limitations imposed upon the position of Mayor of Jackson, Tennessee, and the extent of participation by George Arthur Smith as Mayor of Jackson, Tennessee, in the operation of the standard broadcast station proposed in his above-entitled application.

2. To determine upon the basis of the evidence taken with respect to Issue No. 1 above and upon the record heretofore compiled in this consolidated proceeding, which, if any, of the applications in this proceeding should be granted.

Released: January 27, 1948.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-1167; Filed, Feb. 6, 1948;
8:54 a. m.]

[Docket Nos. 7756, 8718]

WYANDOTTE NEWS CO. AND CADILLAC
BROADCASTING CO.

CORRECTED ORDER DESIGNATING APPLICATIONS
FOR CONSOLIDATED HEARING ON STATED
ISSUES

In re applications of Wyandotte News Company, Wyandotte, Michigan, Docket No. 7756, File No. BP-5084; Cadillac Broadcasting Company, Hamtramck, Michigan, Docket No. 8718, File No. BP-6482; for construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 8th day of January 1948;

The Commission having under consideration the above-entitled applications of Wyandotte News Company requesting a construction permit for a new standard broadcast station to operate on the frequency 1540 kc, with 250 w power, daytime only, in Wyandotte, Michigan; and that of Cadillac Broadcasting Company for construction permit for new standard broadcast station to operate on 1540 kc, with 1 kw power, daytime only, in Hamtramck, Michigan;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications be, and they are hereby, designated for hearing in a consolidated proceeding, at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporations, their officers, directors and stockholders, to construct and operate their respectively proposed stations.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed stations and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed stations, with particular respect to that of Wyandotte News Company, would involve objectionable interference with station WJMO, Cleveland, Ohio or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed stations would involve objectionable interference each with the other or with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed stations would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

It is further ordered, That W. J. Marshall, licensee of Station WJMO be, and he is hereby, made a party to this proceeding.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-1165; Filed, Feb. 6, 1948;
8:53 a. m.]

[Docket No. 7876]

ROCHESTER BROADCASTING CO.

ORDER CONTINUING HEARING

In re application of Rochester Broadcasting Company, Rochester, Minnesota, Docket No. 7876, File No. BP-5080; for construction permit.

Whereas, the above-entitled application of Rochester Broadcasting Company, Rochester, Minnesota, is scheduled to be heard at Washington, D. C., on January 27, 1948; and

Whereas, there is pending before the Commission a petition filed December 22, 1947, by the said applicant requesting reconsideration and grant without hearing of the said application; and

Whereas, counsel for the said applicant has consented to a continuance of the hearing scheduled to be held on January 27, 1948, on the above-entitled application;

It is ordered, This 23d day of January 1948, that the said hearing be, and it is hereby continued to 10:00 a. m., Tuesday, February 10, 1948, at Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-1163; Filed, Feb. 6, 1948;
8:53 a. m.]

[Docket Nos. 8179, 8180]

BLACKHAWK BROADCASTING CO. AND
WTAX, INC.

ORDER CONTINUING HEARING

In re applications of Blackhawk Broadcasting Company, Sterling, Illinois, Docket No. 8179, File No. BP-5409; WTAX, Incorporated (WTAX), Springfield, Illinois, Docket No. 8180, File No. BP-5588; for construction permits.

Whereas, the above-entitled applications of Blackhawk Broadcasting Company, Sterling, Illinois, and WTAX, Incorporated (WTAX), Springfield, Illinois, are scheduled to be heard in a consolidated proceeding at Washington, D. C., on January 28, 1948; and

Whereas, there are pending before the Commission petitions filed September 10, 1947, by each of the said applicants requesting severance, reconsideration and grant without hearing of the respective above-entitled applications; and

Whereas, counsel for the said applicants have consented to a continuance of the said hearing scheduled to be held on January 28, 1948, on the above-entitled applications;

It is ordered, This 23d day of January 1948, that the said hearing be, and it is hereby, continued to 10:00 a. m., Friday, February 6, 1948, at Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-1162; Filed, Feb. 6, 1948;
8:53 a. m.]

[Docket No. 8459]

SURETY BROADCASTING CO.

ORDER CONTINUING HEARING

In re application of Surety Broadcasting Company, Charlotte, North Carolina, Docket No. 8459, File No. BP-6088; for construction permit.

Whereas, the above-entitled application of Surety Broadcasting Company, Charlotte, North Carolina, is scheduled to be heard at Washington, D. C., on January 26, 1948; and

Whereas, there is pending before the Commission a petition filed January 21, 1948, by the said applicant requesting reconsideration and grant without hearing of the said application; and

Whereas, counsel for the said applicant has consented to a continuance of the hearing scheduled to be held on January 26, 1948, on the above-entitled application;

It is ordered, This 23d day of January 1948, that the said hearing be, and it is hereby, continued to 10:00 a. m., Monday, February 9, 1948, at Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-1164; Filed, Feb. 6, 1948;
8:53 a. m.]

[Docket Nos. 8723, 8724]

SUMMIT RADIO CORP. AND ALLEN T. SIMMONS

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Summit Radio Corporation, Akron, Ohio, Docket No. 8723, File No. BPCT-230; Allen T. Simmons, Akron, Ohio, Docket No. 8724, File No. BPCT-243; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of January 1948:

The Commission having under consideration the above applications of Summit Radio Corporation (File No. BPCT-230) and Allen T. Simmons (File No. BPCT-243) each requesting a construction permit for a television station at Akron, Ohio, for unlimited time operation; and

It appearing, that the above-entitled applications are mutually exclusive because under § 3.606 of the Commission's rules and regulations but one television channel is allocated to the Akron metropolitan district area;

It is ordered, That pursuant to section 309 (a) of the Communications Act, as amended, the above-entitled applications are hereby designated for hearing in a consolidated proceeding at a time and place to be designated by the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant to operate and construct the proposed station.
2. To obtain full information with respect to the nature and character of the proposed program service.
3. To determine the areas and populations which may be expected to receive service from the proposed station.
4. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.[F. R. Doc. 48-1166; Filed, Feb. 6, 1948;
8:53 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-815]

CENTRAL KENTUCKY NATURAL GAS CO.

NOTICE OF ORDER APPROVING RECLASSIFICATION AND ADJUSTMENT OF DEPRECIATION AND AMORTIZATION RESERVES

FEBRUARY 3, 1948.

Notice is hereby given that, on February 2, 1948, the Federal Power Commission issued its order entered January 30, 1948, in the above entitled matter, approving reclassification and adjustment of depreciation and amortization reserves.

[SEAL] LEON M. FUQUAY,
Secretary.[F. R. Doc. 48-1133; Filed, Feb. 6, 1948;
8:46 a. m.]

[Docket No. IT-6001]

UNION ELECTRIC POWER CO.

NOTICE OF ORDER AUTHORIZING AND APPROVING MERGER OF FACILITIES

FEBRUARY 3, 1948.

Notice is hereby given that, on February 2, 1948, the Federal Power Commission issued its order entered January 30, 1948, in the above entitled matter, authorizing and approving merger of certain facilities of the Illinois Power Company.

[SEAL] LEON M. FUQUAY,
Secretary.[F. R. Doc. 48-1132; Filed, Feb. 6, 1948;
8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 2-4985 (22-192), 2-5509 (22-348)]

AMERICAN TOBACCO CO.

NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 3d day of February A. D. 1948.

Notice is hereby given that The American Tobacco Company (applicant) has filed an application under clause (ii) of section 310 (b) (1) of the Trust Indenture Act of 1939 for a finding by the Commission that trusteeship by Guaranty Trust Company of New York under an indenture dated April 15, 1942, and an indenture dated October 1, 1944 (both of which were heretofore qualified under the Trust Indenture Act of 1939) and trusteeship by said company under a proposed indenture to be dated January 1, 1948 (not to be qualified under the act) is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify said trustee from acting as such under either or both of the said qualified indentures.

The application alleges: (1) That applicant proposes to issue debentures under the new indenture under which Guaranty Trust Company of New York is to be named indenture trustee, that said debentures will be sold to one institutional investor which will take for investment and not with a view to distribution and that the new indenture is therefor exempted from qualification under the Trust Indenture Act of 1939 by section 304 (b) (1) thereof; (2) that applicant has outstanding \$84,324,000 principal amount of twenty year 3% debentures maturing April 1, 1962, issued under the indenture dated April 15, 1942, and \$91,510,000 principal amount of twenty-five year 3% debentures maturing October 15, 1969, issued under the indenture dated October 1, 1944, both of which old indentures were qualified under the Trust Indenture Act of 1939; (3) that both of the old indentures name Guaranty Trust Company of New York as indenture trustee and contain language substantially similar to that of section 310 (b) (1) of the act, including clause (ii) thereof; (4) that the old in-

dentures are, and the new indenture will be, wholly unsecured and that the provisions of the new indenture will in all other material respects be substantially the same as the old indentures except that the new indenture will contain different dates, redemption prices, sinking fund amounts and covenants and the effectiveness of certain provisions conforming to the act will be deferred until the said new indenture is qualified thereunder; (5) and that differences existing between the old indentures and the new indenture are not likely to involve a conflict of interest in the trusteeship.

For a more detailed statement of the matters of fact and law asserted, all persons are referred to said application which is on file in the offices of the Commission at 425 Second Street, NW., Washington 25, D. C.

Notice is further given that an order granting the application may be issued by the Commission at any time after February 11, 1948, unless prior thereto a hearing upon the application is ordered by the Commission, as provided in clause (ii) of section 310 (b) (1) of the Trust Indenture Act of 1939. Any interested person may, not later than February 9, 1948, at 5:30 p. m., eastern standard time, in writing submit to the Commission his views or any additional facts bearing upon this application or the desirability of a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.[F. R. Doc. 48-1136; Filed, Feb. 6, 1948;
8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 10352]

HUGO BAUMANN ET AL.

In re: Interest in stock, debenture and bank accounts owned by Hugo Baumann and others. F-28-771-D-1/3; F-28-771-E-1/3.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Hugo Baumann and Oskar Baumann, each of whose last known address is Wuerzburg, Germany, and Hulda Ziegler, nee Baumann, whose last known address is Wuerzburg-Hoezberg, Germany, are residents of Germany and na-

tionals of a designated enemy country (Germany);

2. That the property described as follows:

a. An undivided three-fifths ($\frac{3}{5}$) interest in and to eleven (11) shares of no par value \$5 series preferred capital stock of General Motors Corporation, 1775 Broadway, New York, New York, a corporation organized under the laws of the State of Delaware, evidenced by certificates numbered T4088 and 26433 for ten (10) shares and one (1) share respectively, registered in the name of Frank Baumann, together with an undivided three-fifths ($\frac{3}{5}$) interest in and to all declared and unpaid dividends thereon,

b. An undivided three-fifths ($\frac{3}{5}$) interest in and to eight (8) shares of \$100 par value preferred capital stock of United States Steel Corporation, 71 Broadway, New York, New York, a corporation organized under the laws of the State of New Jersey, evidenced by certificate number C561066, registered in the name of Frank Baumann, together with an undivided three-fifths ($\frac{3}{5}$) interest in and to all declared and unpaid dividends thereon,

c. An undivided three-fifths ($\frac{3}{5}$) interest in and to that certain obligation, matured or unmatured, of BX Corporation, 135 Broadway, New York, New York, evidenced by one (1) Series BX-8 income debenture due December 1, 1944, of \$2,000 face value, bearing number 16 and registered in the name of Frank Baumann, with attached stock certificate bearing number 16 for twenty (20) shares of 1 $\frac{1}{2}$ par value Class BX-8 stock, together with an undivided three-fifths ($\frac{3}{5}$) interest in and to any and all accruals to the aforesaid obligation and any and all rights in, to and under the aforesaid debenture and attached stock certificate, and

d. An undivided three-fifths ($\frac{3}{5}$) interest in and to each of those certain debts or other obligations of the banks whose names and addresses are listed in Exhibit A, attached hereto and by reference made a part hereof, arising out of the savings accounts described in Exhibit A, maintained at the branch offices of said banks located at the addresses set forth in Exhibit A, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Hugo Baumann, Oskar Baumann and Hulda Ziegler, nee Baumann, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been

made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 16, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

| Name and address of bank | Address of branch office | Number of savings account | Title of savings account |
|--|------------------------------------|---------------------------|--------------------------|
| The Bowery Savings Bank, 110 East 42d St., New York, N. Y. | 130 Bowery, New York, N. Y. | 1686039 | Frank Baumann. |
| East River Savings Bank, 24-26 Cortlandt St., New York, N. Y. | 291 Broadway, New York, N. Y. | 360380 | Do. |
| Dollar Savings Bank of the City of New York, 2792 3d Ave., New York, N. Y. | 2516 Grand Concourse, Bronx, N. Y. | 74758 | Do. |

[F. R. Doc. 48-1156; Filed, Feb. 6, 1948; 8:51 a. m.]

[Vesting Order 10537]

YONEJIRO MURAOKA

In re: Real property, bank account, claim and stock owned by Yonejiro Muraoka, also known as Y. Muraoka, and as Yonesuke Muraoka and as Yonejiro Muraoka.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Yonejiro Muraoka, also known as Y. Muraoka, and as Yonesuke Muraoka and as Yonejiro Muraoka, whose last known address is Japan, is a resident of Japan, and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. Real property, situated in Haunapo, Kalihi, Honolulu, City and County of Honolulu, Territory of Hawaii, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments, arising from the ownership of such property,

b. That certain debt or other obligation of Bank of Hawaii, King and Bishop Streets, Honolulu, Territory of Hawaii, arising out of a checking account entitled "Y. Muraoka", and any and all rights to demand, enforce and collect the same,

c. That certain debt or other obligation owing to the person named in subparagraph 1 hereof, by Kalihi Town Department Store, 1895 North King Street, Honolulu, Territory of Hawaii, arising out of an open account, in the amount of \$676.00, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

d. Eighty-five (85) shares of \$10.00 par value common capital stock of Honolulu Rapid Transit Company, Limited, 1140 Alapai Street, Honolulu, Territory of Hawaii, a corporation organized under the laws of the Territory of Hawaii, evi-

denced by certificates numbered A 2421, A 2585, A 3220 and A 3222, registered in the name of Y. Muraoka, and certificate numbered A 2925, registered in the name of Yonejiro Muraoka, together with all declared and unpaid dividends thereon, and

e. Fifty-one (51) shares of \$10.00 par value six per cent convertible, preferred stock of Honolulu Rapid Transit Company, Limited, 1140 Alapai Street, Honolulu, Territory of Hawaii, a corporation organized under the laws of the Territory of Hawaii, evidenced by certificate numbered A 93, and registered in the name of Y. Muraoka, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and

There is hereby vested in the Attorney General of the United States the property described in subparagraphs 2-b to 2-e hereof, inclusive,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 28, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

All of those certain parcels of land situate, lying and being on a 30-foot roadway off Gulick Avenue and on the Northwest side of Gulick Avenue at Haunapo, Kalihi, Honolulu, City and County of Honolulu, Territory of Hawaii, and being Lot Number Six (6), containing an Area of 3,196 Square Feet, and Lot Number Nine (9), containing an Area of 3,196 Square Feet, or thereabouts, of the tract of land known as the "Gulick Tract, 3d Series", as shown on the Map thereof, filed in the Office of the Registrar of Conveyances at Honolulu as Registered Map Number Two Hundred Twenty-Nine (229).

[F. R. Doc. 48-1119; Filed, Feb. 5, 1948;
8:52 a. m.]

[Vesting Order 10543]

ELISE SEILER ET AL.

In re: Bonds and mortgages, property insurance policies and claim owned by Elise Seiler, Maria Seiler, Franziska Seiler, Auguste Karl, the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Amalie Seiler, deceased, and Evangelische Kirche, also known as Evangelical Lutheran Church.

Under the authority of the Trading With the Enemy Act, as amended Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Elise Seiler, Maria Seiler, Franziska Seiler and Auguste Karl, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany);
2. That the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Amalie Seiler, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);
3. That the Evangelische Kirche, also known as Evangelical Lutheran Church, the last known address of which is Degendorf, Germany, is an association, corporation or other organization, organized under the laws of Germany, and a national of a designated enemy country (Germany);
4. That the property described as follows:
 - a. A mortgage executed on October 4, 1928, by Francesco La Fauci and Anna

La Fauci to Herbert F. Beck, and recorded in the Office of the Register of Kings County, New York, on October 5, 1928, in Liber 7151 of Mortgages, at Page 325, excepting, however, a junior interest therein which was assigned to Frederick Holthusen and recorded in the Office of the Register of Kings County, New York, on December 21, 1933, in Liber 7856 of Mortgages, at Page 523, and any and all obligations secured by the aforesaid mortgage, excepting, however, those secured by the aforesaid junior interest therein, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all such obligations and the right to enforce and collect such obligations, and the right to possession of any and all notes, bonds and other instruments evidencing such obligations,

b. A mortgage executed on November 26, 1930, by Giuseppe Malfa and Rosaria Malfa, his wife, to Henry Stubing, and recorded in the Office of the Register of Kings County, New York, on November 26, 1930, in Liber 7556 of Mortgages, at Page 380, and any and all obligations secured by the aforesaid mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all such obligations and the right to enforce and collect such obligations, and the right to possession of the aforesaid mortgage and all notes, bonds and other instruments evidencing such obligations,

c. A mortgage executed on November 19, 1928, by Caroline Borgeson to Henry Stubing, and recorded in the Office of the Register of Kings County, New York, on November 22, 1928, in Liber 7194 of Mortgages, at Page 152, excepting, however, a senior interest therein which was assigned to Meta von Barga and recorded in the Office of the Register of Kings County, New York, on December 14, 1936, in Liber 8164 of Mortgages, at Page 80, and any and all obligations secured by the aforesaid mortgage, excepting, however, those secured by the aforesaid senior interest therein, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all such obligations and the right to enforce and collect such obligations, and the right to possession of any and all notes, bonds and other instruments evidencing such obligations.

d. All right, title and interest of the persons referred to in subparagraphs 1, 2 and 3 hereof, in and to the following fire insurance policies:

Policy No. 82857, issued by New Hampshire Fire Insurance Company, Manchester, New Hampshire, in the amount of \$5,000.00, which policy insures the property subject to the mortgage de-

scribed in subparagraph 4-a hereof, together with any and all extensions or renewals thereof,

Policy No. 2365, issued by Pacific Fire Insurance Company, New York, New York, in the amount of \$2,500.00, which policy insures the property subject to the mortgage described in subparagraph 4-b hereof, together with any and all extensions or renewals thereof, and

Policy No. 56451, issued by New Hampshire Fire Insurance Company, Manchester, New Hampshire, in the amount of \$1,500.00, which policy insures the property subject to the mortgage described in subparagraph 4-c hereof, together with any and all extensions or renewals thereof,

e. All those certain debts or other obligations owing to the persons referred to in subparagraphs 1, 2 and 3 hereof, by Richter & Kaiser, Inc., 186 Remsen Street, Brooklyn, New York, arising by reason of collections on the mortgages described in subparagraphs 4-a to 4-c hereof, inclusive, and any and all rights to demand, enforce and collect the same, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

5. That to the extent that the persons referred to in subparagraphs 1, 2 and 3 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraphs 4-a to 4-e hereof, inclusive, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 29, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-1122; Filed, Feb. 5, 1948;
8:53 a. m.]